

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHELLY S. JONES,

Plaintiff,

v.

CAROLYN W. COLVIN, Commissioner of
Social Security,

Defendant.

Case No. 3:10-cv-05483-RJB-KLS

ORDER GRANTING IN PART
PLAINTIFF'S MOTION FOR ATTORNEY
FEES, COSTS AND EXPENSES
PURSUANT TO 28 U.S.C. § 2412

The Court, having reviewed plaintiff's motion for attorney fees, costs and expenses pursuant to 28 U.S.C. § 2412, the Report and Recommendation (Dkt. 39) of Judge Karen L. Strombom, United States Magistrate Judge and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation (Dkt. 39);
- (2) Plaintiff is granted attorney fees in the amount of \$18,036.80, costs in the amount of \$333.60 and expenses in the amount of \$166.87;
- (3) Subject to any offset allowed under the Treasury Offset Program, as discussed in Astrue v. Ratliff, 130 S. Ct. 2521, 560 U.S. ____ (2010), payment of this award shall be sent to plaintiff's attorney Eitan Kassel Yanich at his address: Eitan Kassel Yanich, PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA 98501;
- (4) After the Court issues this Order, defendant will consider the matter of plaintiff's assignment of EAJA fees and expenses to plaintiff's attorney. Pursuant to Astrue v.

1 Ratliff, the ability to honor the assignment will depend on whether the EAJA fees and
2 expenses are subject to any offset allowed under the Treasury Offset Program.

3 Defendant agrees to contact the Department of Treasury after this Order is entered to
4 determine whether the EAJA attorney fees and expenses are subject to any offset. If
5 the EAJA attorney fees and expenses are not subject to any offset, those fees and
6 expenses will be paid directly to plaintiff's attorney Eitan Kassel Yanich, either by
7 direct deposit or by check payable to him and mailed to his address; and
8

- 9 (5) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's
10 counsel and Magistrate Judge Karen L. Strombom.

11 DATED this 28th day of June, 2013.

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14 ROBERT J. BRYAN
15 United States District Judge
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